



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,038	02/20/2002	Anatoli Fomenko	SUN-P6506	9522
27683	7590	04/13/2005	EXAMINER	
HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202			ARTHUR JEANGLAUDE, GERTRUDE	
			ART UNIT	PAPER NUMBER
			2144	

DATE MAILED: 04/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/082,038	FOMENKO, ANATOLI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Gertrude Arthur-Jeanglaude	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 20 February 2002.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-61 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) \_\_\_\_\_ is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 20 February 2002 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/21/02</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7-13, 15-27, 29-34, 36-42, 44-56, 58-61, are rejected under 35 U.S.C. 103(a) as being unpatentable over Nadler et al. (U.S. Pub No. 20030070006) in view of Wiles (U.S Pub No. 20030055883).

As to claims 1, 8, 16, 30, 37, 45, 59-61, Nadler et al. disclose a software development environment, a method and system for deploying version control system server software having a remote access capability, the method comprising: providing a functional software unit implementing version control system server functionality (See paragraph 0005); providing a module deployment descriptor for directing a deployment tool to deploy the module (paragraph 0005); packaging the functional software unit with the module deployment descriptor into a Web module for deployment in accordance with a component-based platform- independent specification (paragraph 0006); and deploying the Web module onto a Web server platform using the deployment tool of the software development environment, the Web server platform including a machine, an operation system, and hosting server software (paragraph 0020-0021). Nadler et al. fail

to specifically disclose the deployment tool including a server plug-in provided by a provider of the hosting server software and the server plug-in automatically installing a Web module on a corresponding server platform when the Web module complies with the component-based platform-independent specification. In an analogous art, Wiles discloses a Business that provides Internet based services wherein it discloses web server including plug-in (paragraph 0225-0226, 0229). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Nadler et al. with that of Wiles by having a web server plug-in in order to monitor the sites.

As to claims 2, 9, 22, 31, 38, 48, 51, Nadler et al. disclose the functional software unit includes a program of instructions for generating dynamic content and interacting with clients using a request-response scheme (paragraph 0068).

As to claims 3, 10-11, 19-20, 23-24, 32, 39, 49, 52,-53 Nadler et al. disclose the functional software unit includes a program of instructions for returning the dynamic content to the clients using template data, custom elements, scripting languages, and server-side objects (paragraph 0066).

As to claims 4, 12, 33, 41, Nadler et al. disclose remote access capability employs a hyper text transport type protocol (paragraph 0066)

As to claims 5, 13, 25, 34, 42, 54, Nadler et al. disclose selecting a server in response to a user's input (paragraph 0165-0180) but fail to specifically disclose a server platform having a corresponding server plug-in. In an analogous art, Wiles discloses a Business that provides Internet based services wherein it discloses web server including plug-in (paragraph 0225-0226, 0229). It would have been obvious to

one of ordinary skill in the art at the time of the invention to modify the system of Nadler et al. with that of Wiles by having a web server plug-in in order to monitor the sites.

As to claims 7, 15, 29, 36, 44, 58, Nadler et al. disclose the computer program development environment software includes an integrated development environment with deployment capability (paragraph 0004-0005).

As to claims 17-18, 21, 26-27, 40, 46-47, 50, 55-56, Nadler et al. disclose the server platform includes an operating system and hosting server software and packaging the version control system server software with an application deployment descriptor for deployment on an application server platform, the application deployment descriptor directing a deployment tool to deploy the application level software (paragraphs 0005-0006).

Claims 6, 14, 28, 35, 43, 57, are rejected under 35 U.S.C. 103(a) as being unpatentable over Nadler et al. (U.S. Pub No. 20030070006) in view of Wiles (U.S Pub No. 20030055883) and further in view of Braddy (U.S. Pat 6,304,967).

As to claims 6, 14, 28, 35, 43, 57, Nadler et al. disclose the component based platform independent specification but Nadler et al. and Wiles fail to specifically disclose that the platform independent specification employing a multi-tier, thin client application model. In an analogous art, Braddy discloses a system and architecture for distributing, monitoring, and managing information requests on a computer network wherein it discloses a multi-tier client-server (See col 2, lines 4-24). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Nadler

et al. and Wiles with that of Braddy by having a multi-tier thin client application model in order to manage information requests.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Deboer et al. (U.S. Pub No. 20020184165)

Mason (U.S. Patent No. 6,826,716)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ

*GAJ*

April 11, 2005

*Gertrude A. Jeanglaude*  
GERTRUDE A. JEANGLAUD  
PRIMARY EXAMINER